

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

JIMMY RAY MASSEY, JR.,)	
)	No. 4:12-CV-30
<i>Plaintiff,</i>)	
)	<i>Mattice/Carter</i>
v.)	
)	
BEDFORD COUNTY, SHERIFF)	
RANDALL BOYCE, SOUTHERN)	
HEALTH PARTNERS, NURSE JOHN)	
JETT, DOCTOR MATHEWS, AND)	
Lt. DAVID PLUMMLEY,)	
)	
<i>Defendants.</i>)	

MEMORANDUM

Jimmy Ray Massey, Jr., ("Plaintiff") filed a *pro se* complaint pursuant to 42 U.S.C. § 1983 (Court Doc. 5). On May 22, 2012, the Court issued an order directing Plaintiff to complete the service packet and return it to the District Court Clerk within twenty (20) days of the date of the order (Court Doc. 6). Plaintiff was forewarned that failure to return the completed service packet within the time required would result in the dismissal of his case.

Plaintiff has not returned the service packet or responded to the Court's May 22, 2012, Order. Plaintiff's failure to timely respond to the Court's Order results in a finding by the Court that he has failed to comply with its Order. Consequently, the Court will dismiss Plaintiff's complaint for noncompliance with its Order and failure to prosecute.

Rule 41(b) of the Federal Rules of Civil Procedure allows a court to dismiss an action *sua sponte* for failure to prosecute or for failure to comply with the federal rules or any court order. This authority is based on the Court's inherent authority to control its docket and prevent undue delays in the disposition of pending cases.

Therefore, this action will be **DISMISSED** for Plaintiff's failure to prosecute and comply with the orders of this Court. Fed.R.Civ.P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

A judgment will enter.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE